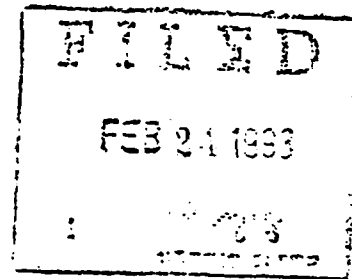


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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
)  
Plaintiffs, )  
)  
vs. )  
)  
)  
CAHOKIA MARINE SERVICE and )  
TENNSV, INC., )  
)  
Defendants. )

1631210023 ST. CLAIR CO.  
SAUGET / CAHOKIA MARINE SERVICE  
NO. 92-CH-231 COMPLIANCE



NOTICE OF FILING

TO:

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Kansas City, MO 64112

PLEASE TAKE NOTICE that on today's date an APPEARANCE and ADDITIONAL MOTION TO LIFT STAY were filed with the Circuit Court of the Twentieth Judicial Circuit in St. Clair County on behalf of the People of the State of Illinois, a copy of which is attached herewith and served upon you.

PLEASE TAKE FURTHER NOTICE that this Motion is set for Hearing on the 7th day of APRIL at 1:30 P.M. in Courtroom 409.

Respectfully submitted,

ROBERT B. HAIDA  
State's Attorney

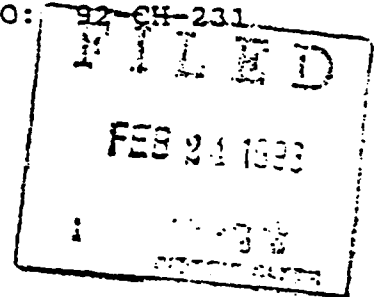
BY: Penni S. Livingston  
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St. Clair County Building  
#10 Public Square  
Belleville, IL. 62220  
(618) 277-3892

193200

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
Plaintiffs, )  
vs. )  
 )  
CAHOKIA MARINE SERVICE and )  
TENNSV, INC., )  
Defendants. )

Case NO: 92-CH-231



ENTRY OF APPEARANCE

COMES NOW ROBERT HAIDA, State's Attorney in and for the County  
of St. Clair, State of Illinois, by and through Penni S.  
Livingston, Assistant State's Attorney, and enters her appearance  
as an attorney of record for the People of the State of Illinois in  
the above styled cause.

Respectfully submitted,

ROBERT B. HAIDA  
State's Attorney

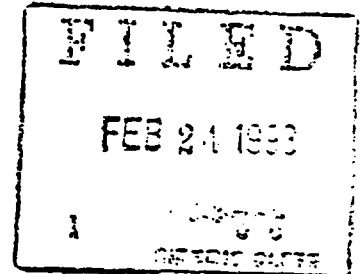
BY: Penni S. Livingston  
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007663

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
)  
Plaintiffs, )  
vs. )  
)  
CAHOKIA MARINE SERVICE and )  
TENNSV, INC., )  
)  
Defendants. )

NO. 92-CH-231



ADDITIONAL MOTION TO LIFT STAY

NOW COMES the Plaintiff, People of the State of Illinois, by and through its attorney, ROBERT B. HAIDA, St. Clair County State's Attorney and by and through his Assistant, Penni S. Livingston, and Motions this Court to lift the Stay entered on September 3, 1992. In support of this Motion the People state as follows:

1. This Cause was called for Hearing on September 3, 1992. This Court reserved ruling until such time as the Illinois Supreme Court rendered its Opinion in the NL Industries case.

2. The Illinois Supreme Court decided NL Industries on October 1, 1992. In People v. NL Industries, 152 Ill. 2d 82, the Supreme Court reversed the Trial Court's decision that it lacked jurisdiction to hear cases brought pursuant to the Illinois Environmental Protection Act. The exhaustion of remedies doctrine is not applicable. The Circuit Court has concurrent jurisdiction with the Illinois Pollution Control Board.

As the Court stated in its conclusion:

093100

" We further hold that the Attorney General or the State's Attorney of the county in which the violation occurred has the power to file suits on behalf of the People of the State, at the behest of the Agency or on his own motion, to redress matters of environmental damage."

WHEREFORE, for these reasons, the People respectfully request this Court to lift the Stay in the <sup>1</sup>above entitled matter.

Respectfully submitted,

ROBERT B. HAIDA  
State's Attorney

BY: Penni S. Livingston  
PENNI S. LIVINGSTON  
Assistant State's Attorney  
Environmental Division  
St. Clair County Building  
#10 Public Square  
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007670

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 )  
 Plaintiffs, )  
 vs. )  
 )  
 CAHOKIA MARINE SERVICE and )  
 TENNSV, INC., )  
 )  
 Defendants. )

NO. 92-CH-231

ORDER

This Court being duly apprised of the contents of the People's Motion to Lift Stay and having held Hearing on the matter, hereby GRANTS said Motion and lifts the stay.

This matter is set for Hearing on the issues of

\_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_:\_\_\_\_ in Courtroom  
\_\_\_\_\_ .

\_\_\_\_\_  
JUDGE

007071

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
Plaintiffs, )  
vs. )  
 )  
CAHOKIA MARINE SERVICE and )  
TENNSV, INC., )  
Defendants. )

Case NO: 92-CH-231

FILED

FEB 24 1993

PROOF OF SERVICE

The undersigned certifies that one copy of the foregoing documents were served upon the attorneys of record of all parties to the above styled cause by enclosing the same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Box in Belleville, Illinois on the 24<sup>th</sup> day of February, 1993.

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700 W. 47th Street  
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Kansas City, MO 64112

Respectfully submitted,

ROBERT B. HAIDA  
State's Attorney

BY:   
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007673